

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PRIMYAH GODIAL MIAA PAYNES EL BEY,

Plaintiff,

-against-

CROCILLO, MTA, and MTA 34 PRECINCT,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/19/2021

20-cv-524 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a status conference on August 19, 2021. This order memorializes the rulings at the conference.

The Court's Order of Service dated November 16, 2020 [ECF No. 16] is VACATED. The City of New York improperly was substituted as a Defendant in this action for the Metropolitan Transportation Administration ("MTA"). The Clerk of Court respectfully is requested to terminate the City of New York as a Defendant on the ECF docket and to reinstate the Defendants terminated by the Court's previous order. This order is without prejudice to Plaintiff adding the City of New York in any amended complaint if she seeks to assert claims directly against the city.

Plaintiff has requested [ECF No. 33] leave to file an amended complaint re-naming the the MTA and Officer Crocilla as Defendants and adding new defendants. Leave to file the amended complaint is GRANTED. For the avoidance of doubt, Plaintiff's claims against the MTA will relate-back to the filing of her original complaint for the purposes of any statute of limitations. The Court will enter an Order of Service following the filing of any amended complaint.

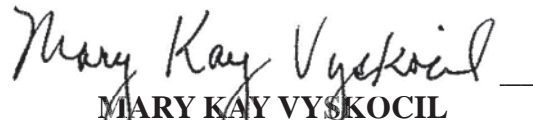
Plaintiff also has requested the appointment of pro bono counsel. The Court will provide Plaintiff by e-mail the appropriate form to request that counsel be appointed. If Plaintiff still wishes to have counsel appointed for her, she must return the form to the Court's Pro Se Intake Office, who will file it with the Court.

Defendant Crocilla's request [ECF No. 35] for an extension of time to answer or respond to Plaintiff's complaint is GRANTED. Officer Crocilla need not respond to the Plaintiff's complaint until an amended complaint is filed.

Finally, the Clerk of Court respectfully is requested to correct the spelling on ECF of Plaintiff's name to "Queen'Prinyah Godiah NMIAA Payne's El Bey" and to correct the spelling of Defendant Crocilla's name to "Leyland Crocilla".

**SO ORDERED.**

**Date: August 19, 2021**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**